



1776 K STREET NW
WASHINGTON, DC 20006
PHONE 202.719.7000
FAX 202.719.7049

7925 JONES BRANCH DRIVE
MCLEAN, VA 22102
PHONE 703.905.2800
FAX 703.905.2820

www.wileyrein.com

January 13, 2015

Benjamin C. Eggert
202.719.7336
beggert@wileyrein.com

VIA ECF & EMAIL TO
FORRESTNYSDCCHAMBERS@NYS.USCOURTS.GOV

The Honorable Katherine B. Forrest
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street, Room 1950
New York, NY 10007

Re: *Continental Casualty Co. v. Marzec Law Firm, P.C., et al.*,
Case No. 14-cv-5294 KBF

Dear Judge Forrest:

We respectfully submit this letter on behalf of Plaintiff Continental Casualty Company ("Continental") to request a further stay of all proceedings and deadlines in the above-referenced action pending finalization of a settlement between the parties. Defendants Marzec Law Firm, P.C. (the "Firm"), Darius Marzec and Greenpoint Law Committee Corp. ("Greenpoint") join Continental's request for a stay.

Continental filed this insurance coverage declaratory judgment action regarding the parties' rights and obligations as to lawyers professional liability policies issued by Continental to the Firm in connection with underlying proceedings pending against the Firm and/or Mr. Marzec (the "Underlying Matters"). (Dkt. No. 1).

By letter dated November 21, 2014, the parties jointly requested the entry of a stay of all proceedings and deadlines in this action pending the outcome of a global mediation of this coverage dispute and the Underlying Matters. (Dkt. No. 27). By order dated November 24, 2014, the Court adjourned the Initial Pre-Trial Conference in this action until January 30, 2015, at 9:00 a.m. (Dkt. No. 28).

After mediation sessions held on December 11 and 22, 2014, and continued negotiations thereafter, the parties reached an agreement in principle to resolve the Underlying Matters pending against Mr. Marzec and the Firm, as well as the coverage dispute between Continental and Mr. Marzec, the Firm and Greenpoint. The parties are currently in the process of documenting the settlement agreements.



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In the interests of judicial economy and to avoid potentially unnecessary expense, Continental requests that the Court enter an order staying all proceedings and deadlines in this matter – including but not limited to the Initial Pre-Trial Conference currently scheduled for January 30, 2015 – pending the submission of a joint status report by the parties regarding the status of settlement documentation efforts no later than March 13, 2015. The parties believe that the deadline of March 13, 2015 is reasonable in light of the complexity of the settlement agreement, which involves a number of other entities and individuals, as well as addressing two garnishment proceedings commenced on the settlement proceeds by a third party to the dispute against one of the claimants in the Underlying Matters.

The undersigned counsel has conferred with Mr. Marzec, who is representing the Firm, Greenpoint and himself in this action. The Firm, Greenpoint and Mr. Marzec join the request for a stay only.

Continental appreciates the Court's consideration.

Respectfully submitted,

A handwritten signature in blue ink that reads "Benjamin C. Eggert" followed by a stylized flourish.

Benjamin C. Eggert (admitted *pro hac vice*)
Lead Counsel for Plaintiff Continental Casualty Company

cc: All Counsel of Record (via ECF)